

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/258,216
Filing Date	26 February 1999
First Named Inventor	SODERLUND, Hans E.
Art Unit	1634
Examiner Name	SOUAYA, Jehanne E.
Attorney Docket Number	13025-5

## This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

### 1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

### 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0171
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other any additional fees due
- b. ☒ Check in the amount of \$ 2,852.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	J. David Ellett, Jr.	Registration No. (Attorney / Agent)	27,875
Signature	<i>J. David Ellett, Jr.</i>	Date	29 March 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	J. David Ellett, Jr.	Date	29 March 2004
Signature	<i>J. David Ellett, Jr.</i>		

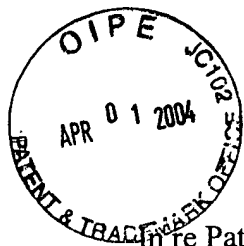
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Patent

Attorney Docket 13025-5

59675.1



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Applicants: SODERLUND, Hans E. and  
SYVANEN, Anne-Christine

)  
) Examiner: SOUAYA, Jehanne E.  
)

Serial No.: 09/258,216

) Group Art Unit: 1634  
)

Filed: 26 February 1999

)

For: "Method and Reagent for Determining  
Specific Nucleotide Variations"

)

)

Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

29 March 2004

Mail Stop RCE  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**REPLY TO AN OFFICE ACTION**  
**PURSUANT TO 37 CFR 1.114(a)(c)**

SIR or MADAM:

The present reply to an Office Action in connection with the application identified above is being filed simultaneously with a request for continued examination (RCE) of the application.

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**Certificate of Mailing Under 37 CFR 1.8**

I hereby declare that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, on

29 March 2004  
Date

J. David Ellett, Jr. (Reg. No. 27,875)

Applicants: Soderlund, Hans E., and Syvanen, Anne-Christine

Filing Date: 26 February 1999

Serial No.: 09/258,216

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An Office Action dated 25 February 2003 was issued in connection with the subject application in which claims 40 through 81 inclusive of the application were rejected for a second time. The second rejection was appealed in a notice of appeal timely submitted to the United States Patent and Trademark Office on 25 August 2003 with a certificate of first class mailing. Consequently, prosecution in the subject application is closed, as required under 37 CFR 1.114(b) for filing a request for continued examination. The appeal was dated 27 August 2003. A request to extend the time to file an appeal brief in the appeal with respect to the subject application through 27 March 2004, a Saturday, is being submitted with the present reply to an Office Action and request for continued examination. The request for continued examination submitted herewith and the present reply to an Office Action constituting a submission accompanying the request for continued examination as required under 37 CFR 1.114(a)(c) are being timely submitted with a certificate of first class mailing on 29 March 2004, the next business day following 27 March 2004, before abandonment of the subject application as required under 37 CFR 1.114(a).